

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID TOSHIAKI TAKEUCHI,

Defendant.

CASE NO. CR07-5816

ORDER

This matter is before the Court on David Takeuchi's motion for early termination of supervised release. Dkt. 78.

Following Takeuchi's guilty plea to one count of receipt of child pornography, Judge Ronald B. Leighton sentenced Takeuchi to 60 months of imprisonment and 10 years of supervised release. Dkts. 28, 29, 36, 38. His initial term of supervised release commenced on April 12, 2012. Dkt. 73 at 1.

The Court has revoked supervision and imposed a new term twice. First was in March 2014 when he admitted to violating several conditions of supervised release, including failing to comply with a computer monitoring program and having contact with minors. Dkts. 51, 52. Judge Leighton revoked supervision, sentenced him to 15 months of

1 custody, and imposed a new 10-year term of supervised release. Dkts. 51, 52. The second
2 revocation occurred in August 2015 when Takeuchi admitted to having direct contact
3 with a minor and failing to be truthful to his probation officer. Dkts. 63, 64. Judge
4 Leighton again revoked his term of supervision, sentenced him to time served, and
5 imposed another 10-year term of supervised release. Dkts. 63, 64. Takeuchi's third term
6 of supervised release commenced on August 25, 2015. Dkt. 73 at 1. It is set to expire on
7 August 25, 2025. *Id.*

8 Takeuchi first moved for early termination of supervision in June 2023. Dkt. 71.
9 The Court denied his motion, but instructed that "Takeuchi may renew his motion in
10 August 2024 if he remains in full compliance with the conditions of his supervised
11 release." Dkt. 75 at 3. He has done just that. After a year of compliance with his
12 conditions, Takeuchi renews his motion for early termination of supervision. Dkt. 78.

13 Probation opposes early termination. Dkt. 79. It acknowledges that "Takeuchi has
14 performed well on supervision since 2021, and is deserving of our commendation" and
15 that his "overall risk category" to reoffend or become violent is low. *Id.* at 2. It does not
16 support early termination "because of the nature and circumstances of the underlying
17 offense, history of violations and nature of the violations[.]" *Id.*

18 The Government did not file any response to Takeuchi's motion.

19 The Court concludes that early termination of supervision is appropriate at this
20 time. Compliance with the conditions of supervised release for an extended period
21 demonstrates rehabilitation and the possibility of early termination provides incentive to
22 defendants to do well on supervision. Takeuchi demonstrated sustained compliance with

1 the terms of his supervision for an entire year before filing this motion. The Court
2 commends his compliance and achieving a stable employment and home environment.

3 Therefore, it is hereby **ORDERED** that Takeuchi's motion for early termination
4 of supervised release, Dkt. 78, is **GRANTED**.

5 Dated this 30th day of August, 2024.

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8 BENJAMIN H. SETTLE
9 United States District Judge
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